DECLARATION AND POWER OF ATTORNEY PATENT APPLICATION CO-PENDING APPLICATION CONTAINING ADDITIONAL SUBJECT MATTER

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name:

I believe I am the original, first and sole (if only one name is listed below) or an original, first and joint (if plural names are listed below) inventor of the subject matter which is claimed and for which a patent application is sought on the invention entitled:

Electrosurgical Accessing of Tissue With Controlled Collateral Thermal Phenomena

the specification of which		
[X] is attached hereto.		
[] was filed on, as applic	ation Serial No.	, and was amended or
		subject matter disclosed in my earlie , filed, and was
		derstand the contents of the above ended by any amendment referred to
		rmation which is material to the Title 37, Code of Federal Regulations
States application(s) listed of the application is not d provided by the first parag duty to disclose material in	below, and insofar as the isclosed in the prior Unit raph of Title 35, United S formation as defined in Tetween the filing date of	d States Code, §120 of any United subject matter of each of the claims ted States application in the mannes tates Code, §112, I acknowledge the Title 37, Code of Federal Regulations the prior application and the national
App'n Serial No.	Filing Date	Status (patented, pending, abandoned)
App'n Serial No.	Filing Date	Status (patented, pending, abandoned)

I hereby appoint Gerald L. Smith, Reg. No. 22,009, Jerry K. Mueller, Jr., Reg. No. 27,576, and Diane E. Burke, Reg. No. 45,725 jointly and each of them severally, my attorneys and attorney, with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent and to transact all business in the Patent and Trademark Office connected therewith. I hereby direct that all correspondence be addressed to: Mueller and Smith,

Date July 24, 2003

LPA, 7700 Rivers Edge Drive, Columbus, Ohio 43235, and all telephone calls be directed to Gerald L. Smith., at telephone number (614) 436-0600.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Philip E. Eggers

Inventor's signature

Residence: Dublin, OH

Citizenship: US

Post Office Address: 5366 Reserve Drive, Dublin, OH 43017